

	<p style="text-align: center;"><b>Executive</b> 17 August 2009</p> <p style="text-align: center;"><b>Report from the Director of Children and Families</b></p>
<p style="text-align: right;">Wards Affected: None</p>	
<p><b>Lord Laming Report</b></p>	

Forward Plan Ref: C&F-08/09-006

## 1.0 Summary

Following the death of Baby Peter in Haringey, the Secretary of State for Children asked Lord Laming to review the progress of child protection work in England at the same time as asking Moira Gibb to head up the Social Work Taskforce.

Lord Laming's report was delivered in March 09 with the Government formally responding in May 09 the Executive asked for an update on this report. The Executive are asked to endorse Brent's local response to the report. The response is initial at this stage because those recommendations which are directed at the Local Authority are subject to updating through further work with the National Safeguarding Delivery Unit or through the revision of Working Together to Safeguard Children.

## 2.0 Recommendations

### 2.1 The Executive is recommended to

2.1.1 Endorse the local response outlined in the appended action plan.

2.1.2 Agree that the Local Safeguarding Children's Board should take the lead on the actions specific to its remit and that the Brent Children's Partnership Board (Brent's Children's Trust arrangement) should take overall responsibility for ensuring that all partner agencies carry out their required actions.

### 3.0 Detail

#### 3.1 The Protection of Children in England: A Progress Report

Following the death of baby Peter in Haringey, the Secretary of State for Children asked Lord Laming to review the progress of child protection work in England at the same time as asking Moira Gibb to head up the Social Work Taskforce.

Lord Laming's report was delivered in March 09 and confirmed that robust legislative, structural and policy foundations are in place and that the Every Child Matters reforms were working positively. He underlined the progress that had been made since his original report, following the death of Victoria Climbié but concluded that there needed to be a "step change in the arrangements to protect children from harm".

The report emphasised the importance of supporting staff in protecting children and recommended 5 areas that required immediate action from central and local government. Specifically, that:

- Central Government departments, through the respective Secretaries for State to collaborate to set explicit strategic priorities for the protection of children. He emphasised that if Central Government was unable to 'join up' then there was little hope at a local level
- A National Safeguarding Delivery Unit to be established to inject energy and drive into the implementation of change and to support local improvements
- The inadequacy of training and supply for front line social workers to be addressed by the Secretary of State
- The wariness of health staff to engage with child protection work to be addressed by the Secretary of State for Health
- The adequacy of resources devoted to police child protection teams to be addressed by the Home Secretary
- Delays in court processes in relation to the care of children to be addressed by the Secretary of State.

In addition, Lord Laming made 56 further recommendations aimed at embedding best practice across the range of safeguarding services, although in a change from his previous approach, the majority of these recommendations were not aimed at social work departments but at Central Government departments, Ofsted and other agencies. He concluded by exhorting staff to "JUST DO IT".

#### 3.2 The Protection of Children in England: Action Plan

Government's response was published in May 2009, supporting Lord Laming's recommendations and spelling out how the majority of these would be addressed. Only approximately 14 of the 56 recommendations were directed at Local Authorities or Local Safeguarding Children's Boards (LSCBs) with the remainder being focused on the work of partner agencies and the respective Government departments, especially Ofsted.

The report identified key priority areas including:

- National Leadership and Accountability. Roger Singleton was appointed as Chief Adviser on the Safety of Children to advise the Government on strategic priorities as well as the implementation of the Laming report. A National Safeguarding Delivery Unit (NSDU) will provide co-ordinated national leadership across the system
- Ofsted will lead on the development of a more robust inspection framework, comprising no notice two day inspections of social work referral points and short notice, full inspections of services to looked after children and those in need of safeguarding
- Local leadership will be clarified and enhanced, through such measures as: training for Directors of Children's Services (DCS's), clarification of the roles of Children's Trust and LSCB's, clarification of roles and responsibilities of Chief Executives, Directors of Children's Services and Lead Members, involvement of two lay people on the LSCB
- Increasing support to front line services through a range of cross agency initiatives. These include considerable attention to social work reform through the Social Work Taskforce and an injection of £58m into the Social Work Transformation Fund aimed at addressing concerns around the training and supply of social work staff. Recruitment and retention of front line staff were high on the agenda
- There were further proposals aimed at supporting child protection work within the police and health services
- Finally, work was initiated to look at the effect of the introduction of court fees for Care Proceedings and the identified delays in such proceedings.

Lord Laming had made two specific recommendations about the adequacy of resourcing for children's social care and there were discussions about ring-fenced budgets for safeguarding. These were not picked up on specifically in the Government response.

### 3.3 Local response

3.3.1 Brent's response to the concerns following events in Haringey has been two-fold; a number of initiatives were put into place immediately aimed at ensuring that children were safe and that robust systems were functioning adequately, subsequent to this and following the publication of the government response plans are being put into place to ensure that the Council is compliant with the new guidance when it is produced.

3.3.2 The following pieces of work were completed following events in Haringey and reported to the Executive on 16 March 09:

- a review of all child protection cases and recommendations for action were made where required,
- a review of practice against the findings of the Haringey Joint Area Review,

- a review of compliance with the findings of the last highly critical 2003 inspection and finally
  - progress against the original Laming recommendations was measured.
- 3.3.3 The findings of all these pieces of work were reported back at the previous meeting.
- 3.3.4 The Government Action Plan produced in response to Laming is enclosed in Appendix 1 alongside suggested actions for the Local Authority and partner agencies. The proposed local actions remain initial and general because the majority of government responses are dependent on further work from the Department of Health, Department for Children Schools and Families, National Service Delivery Unit or on a re-write of Working Together.
- 3.3.5 The proposal is that individual agencies take responsibility for those actions specific to their agencies, that the LSCB leads on those specific to it, to safeguarding and to Serious Case Review processes and that the Children's Partnership Board takes overall responsibility for co-ordinating and ensuring compliance with the plan.
- 3.3.6 The following recommendations from the Action Plan are highlighted for the Executive's consideration.

#### Recommendation 6

Senior officers from the respective organisation must regularly review all points of referral where concerns about a child's safety are received.

Social care managers are required to have regular oversight of all social work cases through regular supervision, to record this supervision and guidance on the system and to regularly review a sample of social work cases. In addition a new post, agreed for 12 months by the Council, is reviewing cases on a regular basis across a range of different criteria and reporting back to senior managers. Further actions: other agencies to update. Social care will consider "mock" inspections of duty points. Other agencies will need to report their reviews to the Children's Partnership Board.

#### Recommendation 8

DCSF to organise regular training on safeguarding and child protection for senior political leaders and managers

Members will be offered training in advance of DCSF advice.

#### Recommendation 11

Ensuring that referrals points are adequately supported and trained with managers on site to provide advice.

All social work staff are trained and have access to on site support. One theme running throughout the Government's response is the importance of adequate training, development and support to front line staff in all agencies. In social care we have a training and

development plan as well as being a pilot for the Newly Qualified Social Work scheme, however all agencies may wish to consider their capacity to resource such expectations. This is also covered in recommendation 30.

#### Recommendations 17 and 18

Improvements should be made to the Integrated Children System (ICS).

- a. ICS was heavily criticised by Laming and the Social Work Taskforce. A change programme is already underway with a view to simplifying the system and reducing unnecessary bureaucracy.

#### Recommendations 20, 21, 22

These all concern the engagement of adult mental health, drug and alcohol professionals and those working with domestic violence in safeguarding.

Agencies will need to consider referral systems for concerns in these areas and whether they are sufficiently robust. LSCB to co-ordinate responses.

#### Recommendation 25

Children's Trusts should ensure a named and preferably co-located representative from the police service; community paediatric specialist and health visitor are active partners in each children's social work department.

Agencies will need to advise on progress through the Children's Partnership Board.

#### Recommendations 35 and 36

Concern the training of children's health workforce and the resourcing and training of Child Abuse Investigations Teams.

Agencies will need to advise on progress through the Children's Partnership Board.

#### Recommendations 39 to 53

Concern the management of Serious Case Reviews, the Local Safeguarding Children Board and the relationship between that LSCB and the Trust Board.

The details of all of these will be contained in the revised "Working Together to Safeguard Children" guidance. We are currently checking the constitution of the Board to clarify whether there is the possibility of introducing some of the changes in advance of the revision of Working Together. The LSCB will lead on the changes that directly impact on it whilst the Brent Children's Partnership Board will take overall responsibility for monitoring progress

### Recommendations 54, 55 and 56

Cover protected budgets for children's, health and police services, the adequacy of resourcing for early intervention and prevention and a proposed annual assessment of need against proposed spend.

More detail is awaited on each of the above - Children's Trusts will be responsible for implementation.

### 3.4 Other local responses to "The Protection of Children in England"

3.4.1 There are a number of initiatives which have been put into place over the last six months to ensure that safeguarding services in Brent are sufficiently robust and that children are adequately safeguarded:

#### 3.4.2 Auditing of case files

The auditing process led by an experienced external expert started with a full audit of all child protection cases in Nov/Dec 08. The auditing arrangements have been subsequently strengthened with increased clarity being provided to managers at all levels about the amount of auditing work that they are required to complete. Furthermore the Quality Assurance post that was agreed by Council has been filled and the postholder has started work and begun producing reports on a range of aspects of the safeguarding work.

#### 3.4.3 Planning and decision making

Concerns were identified during the audit around the frequency and robustness of core group meetings. This has been addressed with managers and an independent chair has started work on chairing a proportion of these meetings.

#### 3.4.4 Children's social care workforce

The children's social care service underwent a restructure in January 2009 and following as it did, from the events in Haringey, this led to a significant exodus of permanent social workers from the front line child protection teams. A new recruitment drive, featuring financial incentives to work in the locality based child protection teams has begun to generate results and we are seeing a slow but steady increase in the percentage of permanent social workers employed in the front lone teams.

3.4.5 The Council is involved in the national Newly Qualified Social Work (NQSW) scheme which is providing NQSWs with much needed support in their first post-qualifying year.

#### 3.4.6 Inspection preparation

The department is working with an ex- Ofsted inspector to prepare the service for the imminent inspections. This involves a mixture of ensuring that we are compliant with all the information and reporting requirements, working with partner agencies, developing a communication plan, quality assurance, staff training and preparation.

## **4.0 Financial Implications**

- 4.1 The Council added significant resources into children's social care as part of the 2009/10 budget, in order to address some of the initial findings in relation to the Baby Peter case. £1m of investment was made in new social worker and principal social worker posts, independent reviewing officers, a Principal Officer for Quality and Assurance and a new Head of Safeguarding Post.
- 4.2 This growth has increased capacity in the service, however, there are significant potential budgetary implications within the action plan which these, and other existing resources, could not cover. Until detailed proposals/plans are realised by the government departments these resource implications will be difficult to quantify.
- 4.3 There are potential resource implications from Items 14, 15 and 18 and 19 of the action plan. These suggest possible greater demand on services for Children in Need, greater requirement for training and support of staff, changes to the Integrated Children's System, and increased documentation with regards to referrals and reviews. These suggest increased workload for staff and therefore the potential need for additional resources.
- 4.4 Items for 54, 55 and 56 concern the adequacy of resourcing across the local authority and partner agencies. The thrust of Laming appears to be about Government providing adequate resources; however, the thrust of the government response is more concerned with monitoring the resources applied to safeguarding by local authorities and their partners. This suggests that there will be limited, if any, additional resources provided from central government to implement these changes.

## **5.0 Legal Implications**

- 5.1 Lord Laming and the Government has confirmed that, in general, the current legislative arrangements for safeguarding children are adequately robust.
- 5.2 The Apprenticeship, Skills, Children and Learning (ASCL) Bill is currently before Parliament and will be further amended and will set out the Government's proposals to further strengthen Children's Trust Board and put them on a statutory basis. There is provision in the ASCL Bill for the pooling of budgets in relation to the Children's Trust Board. In Brent, we already have a Children's Trust type arrangement called the Brent Children's Partnership ("the Partnership"). Following the implementation of the ASCL Bill the establishment, constitution and terms of reference of the Partnership will need to be considered to ensure that they are compatible with the provisions of the legislation.
- 5.3 Subject to the passage of the ASCL Bill, the Partnership in Brent will have responsibility for producing the Children's and Young People's Plan for the local area, informed by needs analysis and full consultation including with children, young people and their families. It will have to explicitly confirm the sufficiency of resources (workforce and other) allocated to secure robust safeguarding and child protection in the locality.

- 5.4 The responsibility for delivering the Children and Young People's Plan will remain the responsibility of the individual agencies.
- 5.5 The Government has introduced a requirement in the ASCL Bill that two lay members, drawn from the local community are appointed to the LSCB. In addition the range of statutory partners on the LSCB will be expanded to include schools and colleges. There will also be further clarity on the inter-play between the Partnership Board and the LSCB.
- 5.6 The Statutory Guidance on the role of the Director of Children's Services referred to below states that the Director of Children's Services "should always be" a member of the LSCB as well as a member of the Children's Trust Board.
- 5.7 The Local Safeguarding Children Boards Regulations 2006 allow for the Local Authority to determine that the LSCB shall include two or more representatives of the authority. The other Board partners should be consulted first. It follows that the Director of Children and Families could be appointed to the LSCB following this consultation.
- 5.8 The Statutory Guidance on the role of the Lead Member referred to below states at paragraph 2.17 that the Lead Member should be a "participant observer" at the LSCB which means "routinely attending meetings as an observer and receiving all its written reports". At present there is no statutory requirement that the Lead Member should be a full representative.
- 5.9 The ASCL Bill will also introduce a requirement that the LSCB is to publish an annual report on the effectiveness of safeguarding in the local area. According to the Statutory Guidance published in July 2009 this report should be an "honest assessment of the local safeguarding arrangements and identify clearly the challenges to be addressed and overcome."
- 5.10 The Terms of Reference of the LSCB will need to be revised to follow the passage of the ASCL Bill and the re-issue of Working Together.

There has been a wealth of statutory guidance in the since the events in Haringey:

- Statutory guidance on Children's Trusts was issued in November 2008 entitled "Children's Trusts: statutory guidance on inter-agency co-operation to improve well-being of children, young people and their families" and further statutory guidance will be issued on the new arrangements once the ASCL Bill receives Royal Assent.
- Statutory Guidance on the Children and Young People's Plan was published in January 2009.
- Statutory Guidance entitled "The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Services" was published by the DSCF in July 2009. The Local Authority is required to take the guidance into account and give clear reasons for departing from it.



- 5.11 The Ministry of Justice has appointed Francis Plowden to conduct a review of court fees. The review will look at whether or not court fees act as a deterrent when local authorities decide whether or not to conduct care proceedings.
- 5.12 The Ministry of Justice and DCSF are working on a system wide target for reducing delays in care proceedings. System wide targets and Key Performance Indicators to be in place by 2010/11.

## **6.0 Diversity Implications**

- 6.1 There are no specific diversity implications contained in the Laming Report or the Government response, save for the fact that child protection concerns tend to affect those more deprived communities within Brent.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

- 7.1 There are no significant staffing implications in the Laming report as the majority of staffing changes have already been made.

### **Background Papers (essential)**

- i) The Protection of Children in England. Lord Laming. 2009
- ii) The Protection of Children in England. Action Plan, Department for Children, Schools and Families 2009.

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